

Article **XVII****OTMU — Office/Technology Mixed Use Zone**

Comment [CJR1]: To replace IL – Light Industry District. Only one parcel had been designated Light Industrial (Seedway) and ZUSC voted to rezone that to A/R – Ag/Rural Zone

§ 212-__ Purpose.

The purpose of the OTMU – Office Technology Mixed Use Zone is to provide for employment, support local entrepreneurs and stimulate local economic development by providing areas where light industrial, service, research and development enterprises can locate including, but not limited to, biotechnology, pharmaceuticals, medical instrumentation or supplies, communication and information technology, electronics and instrumentation, and computer hardware and software. This district also sets standards for locating and developing such land uses in a manner that does not adversely affect adjacent residential areas, the overall character of the Town or the environment.

§ 212-__ Permitted uses.

In the OTMU – Office Technology Mixed Use Zone, no building or structure shall be erected, altered or extended, and no land or building thereof shall be used for any purpose or purposes other than the following:

- A. Agricultural events, subject to standards set forth in Chapter 142: Special Events.
- B. Commercial stable, subject to the standards set forth in Article XX, §212-138.
- C. Farm Operation.
- D. On-farm labor housing.

§ 212-__ Permitted accessory uses.

In the OTMU – Office Technology Mixed Use Zone, no building or structure shall be erected, altered, or extended, and no land or building thereof shall be used for any purpose other than the following:

- A. Accessory buildings.
- B. Child-care centers, group child care, family child care
- C. Cottage industry; if structure or use of land exceeds the square footage of the principal dwelling, site plan approval is required.
- D. Indoor and outdoor dining facilities, except that such facilities shall be for the exclusive use of employees or their guests.
- E. Farm operation, accessory commerce.
- F. Fences and walls, subject to the provisions of Article XX, §212-162.
- G. Home occupation.

- H. Minor solar collection system, subject to the provisions of Article XX, §212-139.1.
- I. Off-street loading areas.
- J. Roadside stands, subject to the provisions of Article XX, § 212-135.
- K. Signs as regulated under Article XX, § 212-122; also note Article XX, § 212-122 (F).
- L. Temporary buildings as defined in Article IV.
- M. Vehicle parking, pursuant to the provisions of Article XX, § 212-121.

Comment [CJR2]: All cross-referenced Section numbers will be double-checked for the Final Draft.

§ 212-__ **Uses allowed by site plan approval.**

In the OTMU – Office Technology Mixed Use Zone, no building or structure shall be erected, altered or extended, and no land or building thereof shall be used for any purpose or purposes other than the following, upon receipt of site plan approval pursuant to Article III, § 212-19:

- A. Adult entertainment businesses, subject to the standards set forth in Article XX, § 212-125.
- B. Agricultural-related commerce.
- C. Auction house.
- D. Artist studio.
- E. Bicycle/ski rental business.
- F. Business directional signs, subject to limitations set forth in Article XX, § 212-122 (F).
- G. Professional offices.
- H. Churches, mosques, synagogues, temples and other places of worship, convents, rectories, parish houses.
- I. Clinic.
- J. Communication transmission towers and telecommunications facilities, subject to the provisions of Article XXII.
- K. Conference center.
- L. Facilities for agricultural education and recreation events.
- M. Farm breweries, farm cideries, farm distilleries.
- N. Fire stations and other public buildings necessary for the protection or servicing of a neighborhood.

- O. Health club.
- P. Hospital.
- Q. Hotel.
- R. Lawn/landscaping service.
- S. Light industry.
- T. Off-premises signs, subject to the provisions of Article **XX**, § **212-122 (D)**.
- U. Large- and small-scale sawmills, subject to the provisions of Article **XX**, § **212-136**.
- V. Major solar collection system, subject to the provisions of Article **XX**, §212-139.2.
- W. Motel.
- X. Residence, multiple-family.
- Y. Public and private schools, nursery schools, institutions of higher education.
- Z. Public or private park or playground, including accessory buildings and improvements.
- AA. Regional parks, wildlife sanctuaries, woodland preserves, arboretums.
- BB. Research and development enterprises not involving the manufacture, fabrication, processing, or sale of products, with the exception of prototype development.
- CC. Restaurant.
- DD. Retail lumber and building-supply centers.
- EE. Repair shop, personal service.
- FF. Retail use, provided the establishment does not exceed 12,000 gross square feet in floor area, with the exception of basement storage areas, and operates only between the hours of 6:00 a.m. and 11:00 p.m.
- GG. Self-service storage facility, subject to the standards set forth in Article **XX**, § **212-137**.
- HH. Warehouse, provided the establishment does not exceed 20,000 gross square feet in floor area.

§ 212-__ **Uses by special permit.**

The following uses are allowed upon approval of a special permit pursuant to Article **III**, § **212-18**, and upon receipt of site plan approval from the Planning Board, pursuant to the provisions of Article **III**, § **212-19**, subject to the standards set forth in Article **XX**:

Comment [CJR3]: Fair warning: the law is unsettled with respect to whether a Town Board can legislate the hours of operation of a business under its zoning authority. See <https://www.dos.ny.gov/cnsl/lu15.htm>

- A. Auto body and repair shop.
- B. Any establishment ordinarily operating between the hours of 11:00 p.m. and 6:00 a.m.
- C. Boat repairs and service shop.

Comment [CJR4]: i. We can also add clear approval criteria for the auto body / boat repair uses along the lines of: Any repair and service operations must be performed within a fully enclosed building. Bay doors may be open during hours of operation. No partially dismantled, wrecked, or unregistered vehicle may be stored outdoors on the premises.

§ 212-___ **Lot area and yard requirements.**

- A. Minimum lot area: none, subject to approval by the Tompkins County Health Department as set forth in § 212-8.
- B. Minimum lot width at front lot line: none.
- C. Minimum lot depth: none.
- D. Minimum front yard setback shall be 50 feet in the case of a public road right-of-way. In cases where the lot or parcel fronts on a private interior street or road, the minimum front yard setback shall be 80 feet from the center line of said street or road.
- E. Minimum side yard setbacks shall be 25 feet.
- F. Minimum rear setback shall be 35 feet.
- G. Maximum building height for any building or structure shall be 32 feet above average grade measured at the building perimeter.
- H. Maximum lot coverage by all buildings, structures and impervious surfaces shall be 50% of the lot area.

§ 212-___ **Buffer areas.**

- A. Wherever an OTMU – Office Technology Mixed Use Zone abuts an R1—Rural Residence District, R2—Moderate-Density Residence District, RM—Multiple-Residence District or H1—Hamlet District, there shall be in addition to the required side yard and rear yard a vegetated buffer area of not less than 50 feet. No building or structure, parking or outside storage of any kind shall be allowed within this buffer area. All buffer area plantings shall be subject to the requirements of Article XVI, § 212-100.
- B. No buildings or other structures, or parking areas, shall be located within 100 feet from a stream or any wetland as defined by state or federal law. Streams are required to have a stream protection setback as defined in Article XX, § 212-124.

Comment [DK5]: R1 will be replaced by A/R but a buffer might not be needed beside all A/R uses, such as Ag.

Article IV. Terminology

§ 212-22 **Purpose.**

Add or amend the following definitions:

AUCTION HOUSE

An enclosed place or establishment conducted or operated for compensation or profit as a private or public market where items of a personal or business nature, motor vehicles, machinery, heavy equipment, items of an industrial nature, or items not normally found within retail stores are offered for sale through competitive bidding. The term "auction house" does not include flea markets, yard sales, livestock markets, or bank repossession sales.

ARTIST STUDIO

A use involving small-scale production or assembly with no noxious by-products, and which may include a showroom or ancillary sales of products. No processes or equipment may be used that create heat, glare, dust, smoke, fumes, odors, or vibration detectable off the property.